

PATTERSON &  
SHERIDAN, LLP

ATTORNEYS AT LAW

RECEIVED  
CENTRAL FAX CENTER

JUL 06 2006

3040 Post Oak Blvd, Suite 1500  
Houston, TX 77056-6582  
TEL 713.623.4844  
FAX 713.623.4846

## FACSIMILE COVER SHEET

**DATE:** July 6, 2006  
**FILE NO.:** ROC920010193US2 (IBMK10194)  
**TO:** MAIL STOP AMENDMENT  
Examiner Joseph E. Avellino  
**FAX NO.:** 1-571-273-8300  
**FROM:** Gero G. McClellan / Jon K. Stewart  
**PAGE(S) with cover:** 14

**RE:**

**TITLE:** METHOD FOR DETERMINING ON DEMAND RIGHT SIZE BUFFERING  
WITHIN A SOCKET SERVER IMPLEMENTATION  
**U.S. SERIAL NO.:** 10/038,008  
**FILING DATE:** January 4, 2002  
**INVENTOR(S):** Bauman et al.  
**EXAMINER:** Joseph E. Avellino  
**GROUP ART UNIT:** 2143  
**CONFIRMATION NO.:** 6602

Attached are the following document(s) for the above-referenced application:

Response To Office Action Dated April 6, 2006.

### CONFIDENTIALITY NOTE

The document accompanying this facsimile transmission contains information from the law firm of Patterson & Sheridan, L.L.P. which is confidential or privileged. The information is intended to be for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this faxed information is prohibited. If you have received this facsimile in error, please notify us by telephone immediately so that we can arrange for the retrieval of the original documents at no cost to you.

481375\_1.DOC

RECEIVED  
CENTRAL FAX CENTER  
JUL 06 2006

PATENT  
App. Ser. No.: 10/038,008  
Atty. Dkt. No. ROC920010193US2  
PS Ref. No.: IBMK10194

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	§ Confirmation No.: 6602
Bauman et al.	§
Serial No.: 10/038,008	§ Group Art Unit: 2143
Filed: January 4, 2002	§ Examiner: Joseph E. Avellino
For: METHOD FOR DETERMINING ON DEMAND RIGHT SIZE BUFFERING WITHIN A SOCKET SERVER IMPLEMENTATION	§ § § § § §

MAIL STOP AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office to fax number 571-273-8300 in the attention of Examiner Joseph E. Avellino, on the date shown below:

July 6, 2006

Date

Jay R. Stewart

**RESPONSE TO OFFICE ACTION DATED APRIL 6, 2006**

In response to the Office Action dated April 6, 2006, having a shortened statutory period for response set to expire on July 6, 2006, please enter this response and reconsider the claims pending in the application for reasons discussed below. While no fees are believed due, the Commissioner is hereby authorized to charge counsel's Deposit Account No. 09-0465/ROC920010193US2 for any fees, including extension of time fees or excess claim fees, required to make this response timely and acceptable to the Office.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper. Remarks/Arguments begin on page 7 of this paper.